

DARBY &
DARBY

805 Third Avenue
New York, NY 10022
Tel: (212) 527-7700
Fax: (212) 753-6237

E-MAIL:

FILE #: 20293/0204612-USODATE: 2/2/07NUMBER TRANSMITTING TO: 571-273-0459RECIPIENT: PCT Legal DeptCOMPANY: Patent & Trademarks OfficeFROM: Flynn BarrisonNO. OF PAGES TRANSMITTING
(INCLUDING COVER SHEET)*: 12CONFIRMATION OF THIS TRANSMISSION WILL FOLLOW BY
FIRST CLASS MAIL (Y/N): No

COMMENTS:

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CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

Express Mail, Airmail No.

I hereby certify that on the date indicated below, this paper was deposited with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04 - 0100

Date

Name

Signature

Customer No.: 07278

Docket No.: 20793/0204682-US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Juergen Paul et. al.

Serial No.: 10/596,723

Filed: June 22, 2006

For: MICROSCOPE SYSTEM AND METHOD FOR OPERATING A MICROSCOPE
SYSTEM

**REQUEST FOR CORRECTED FILING RECEIPT
AND NOTICE OF ACCEPTANCE**

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Attached are copies of the official filing receipt and Notice of Acceptance received from the PTO in the above application for which issuance of a corrected filing receipt and Notice of Acceptance is respectfully requested.
2. There is an error with respect to the following data, which is:

- ☐ incorrectly entered and/or
☒ omitted.

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Error in

Omitted data

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | Applicant's name |
| <input type="checkbox"/> | Applicant's address |
| <input type="checkbox"/> | Title |
| <input type="checkbox"/> | Filing Date |
| <input type="checkbox"/> | Application Number |
| <input checked="" type="checkbox"/> | Foreign Priority Application |
| <input checked="" type="checkbox"/> | Notice of Acceptance -
Priority Date |

Germany 103 61 150.9 12/22/03

12/22/2003

REMARKS

The from the Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Enclosed please find a copy of the Executed Declaration.

The Commissioner is respectfully requested to issue new and correct Filing Receipt and Notice of Acceptance documents.

Respectfully submitted,

Dated: February 2, 2007



Flynn Barrison
Reg. No. 53,970
Agent for Applicant(s)

DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
212-527-7700



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/596,723	06/22/2006	2877	2800	20820/0204682-US0	7	58	2

CONFIRMATION NO. 9921

7278

DARBY & DARBY P.C.

P. O. BOX 5257

NEW YORK, NY 10150-5257

FILING RECEIPT



OC000000022055763

Date Mailed: 01/24/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Juergen Paul, Wiesloch, GERMANY;
Robert Schuermann, Bergdietikon, SWITZERLAND;
Urs Gomez, Oberembrach, SWITZERLAND;

Assignment For Published Patent Application

Leica Microsystems CMS GmbH, Wetzlar, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 07278.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/53473 12/14/2004

Foreign Applications

If Required, Foreign Filing License Granted: 01/18/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/596,723**

Projected Publication Date: 04/26/2007

Non-Publication Request: No

Early Publication Request: No

Computer Law
D&D Entry Law
Looseleaf Law
Folder Law
Card _____
Letter _____
Foreign Flg. _____

Title

Microscope system and method for operating a microscope system

Preliminary Class

356

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the ~~filing of patent applications on the same invention in member countries, but does not result in a grant~~ of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER**Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/596,723	Juergen Paul	20820/0204682-USO

7278
DARBY & DARBY P.C.
P. O. BOX 5257
NEW YORK, NY 10150-5257

TO: *J. Williams*

ATTY. REVIEWED _____

DATE: _____

INTERNATIONAL APPLICATION NO.	
PCT/EP04/53473	
I.A. FILING DATE	PRIORITY DATE
12/14/2004	

CONFIRMATION NO. 9921
371 ACCEPTANCE LETTER

OC000000022055784

Date Mailed: 01/24/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>06/22/2006</u>	<u>06/22/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/22/2006
- English Translation of the IA filed on 06/22/2006
- Copy of the International Search Report filed on 06/22/2006
- Preliminary Amendments filed on 06/22/2006
- Information Disclosure Statements filed on 10/31/2006
- Oath or Declaration filed on 06/22/2006
- Request for Immediate Examination filed on 06/22/2006
- U.S. Basic National Fees filed on 06/22/2006
- Priority Documents filed on 06/22/2006
- Claims filed on 06/22/2006
- Drawings filed on 06/22/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Attorney Docket No.: 20820/0204682-USO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is described and claimed and for which a patent is sought on the invention entitled:

MICROSCOPE SYSTEM AND METHOD FOR OPERATING A MICROSCOPE SYSTEM

the specification of which was filed on December 14, 2004 as Application No.
PCT/EP2004/053473.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein. I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigned more than twelve months prior to this application.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ no such foreign applications have been filed

☒ such foreign application have been filed as follows:

Attorney Docket No.: 20820/0204682-US0

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
103 61 150.9	DE	December 22, 2003	<u> x </u> Yes No <u> </u>
			<u> </u> Yes No <u> </u>
			<u> </u> Yes No <u> </u>

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		<u> </u> Yes No <u> </u>
		<u> </u> Yes No <u> </u>
		<u> </u> Yes No <u> </u>

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 20820/0204682-US0

- ☒ no such U.S./PCT applications have been filed.
- ☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners under Customer Number

07278

jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Customer Number 07278, whose address is:

Darby & Darby P.C.
P.O. Box 5257
New York, New York 10150-5257

Attorney Docket No.: 20820/0204682-US0

Full name of sole or first inventor Juergen Paul	
Sole or first inventor's signature <i>Juergen Paul</i>	Date 06/14/06
Residence Wiesloch, Germany	
Citizenship Germany	
Mailing Address Johann-Philipp-Bronnersstr. 24, 69168 Wiesloch Germany	

Full name of second inventor, if any Robert Schuermann	
Second inventor's signature	Date
Residence Bergdietikon, Switzerland	
Citizenship Switzerland	
Mailing Address Raistrasse 2, CH-8962 Bergdietikon Switzerland	

Full name of third inventor, if any Urs Gomez	
Third inventor's signature	Date
Residence Oberembrach, Switzerland	
Citizenship Switzerland	
Mailing Address Pfungenstrasse 28, CH-8425 Oberembrach Switzerland	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	